



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 3, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2024-10700177 CD

**SUMMARY:**

**Current Zoning:** "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation District Overlay Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD NCD-6 AHOD" Residential Single-Family Mahncke Park Neighborhood Conservation District Overlay Airport Hazard Overlay District with a Conditional Use for Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Ruben Escobedo

**Applicant:** Patrick Vallejo

**Representative:** Patrick Vallejo

**Location:** 201 Ira Avenue

**Legal Description:** Lot 12, Block 9, NCB 3863

**Total Acreage:** 0.1722 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Mahncke Park Neighborhood Association

**Applicable Agencies:** Fort Sam Houston Army Base, Public Works Department

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned "D" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "D" Apartment District converted to the current "MF-33" Multi-Family District.

### **Code & Permitting Details:**

Residential Improvements Permit Application – RES-IMP-APP24-32001207– August 2024

Minor Building Repair Application – REP-MBR-APP24-35008094– July 2024

Foundation Repair Permit – REP-FND-PMT24-35101788– August 2024

**Topography:** The entirety of the property is within the 100 Year Floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings

**Direction:** South

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings

**Direction:** East

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings

**Direction:** West

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings

### **Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The Mahncke Park Neighborhood Conservation District (NCD-6) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff,

develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Ira Avenue

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** Margaret Avenue

**Existing Character:** Local

**Proposed Changes:** None known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 9, 209, 14, 214

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for “Professional Office” is 1 parking space per 300 sf GFA.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: “MF-33” Multi-Family District allows any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

Proposed Zoning: “R-4 CD” Residential Single-Family District allows for single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The “CD” Conditional Use is for Professional Office.

**FISCAL IMPACT:**

None

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

Subject property is located within the Midtown Regional Center and is within ½ a mile from the Austin Highway Metro Premium Plus Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on approval criteria below.

- 1. Consistency:** The subject property is located within the Midtown Area Regional Center Plan, adopted June 6, 2019, and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "R-4" base zoning district is consistent with the future land use designation.
- 2. Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. There is "MF-33" Multi-Family District and "C-2" Commercial District within proximity to the subject property.
- 3. Suitability as Presently Zoned:** The existing "MF-33" Multi-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-4 CD" Residential Single-Family District with a Conditional Use for Professional Office is also appropriate. The proposed zoning allows for the consideration of a professional office, a light commercial use, while retaining the residential base zoning district. The area is comprised of residential and commercial uses, making the proposal consistent with what is currently present. The prescribed site plan would prevent expansion of the building footprint and deviation from the approved document could potentially warrant additional council consideration.
- 4. Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
- 5. Public Policy:** The request does not appear to conflict with any public policy objectives. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:
  - Goal 4: Support Unique, Mixed Activity Areas
  - Goal 1: Preserve the Midtown Area's Distinct Character
  - Goal 5: Broaden Housing Choices
- 6. Size of Tract:** The 0.1722-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding,

JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop Professional Office.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.